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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,556	11/29/2001	Michael A. Kopmanis	10541-542	5146

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CHICAGO, IL 60611

EXAMINER
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NGUYEN, DUNG V

ART UNIT	PAPER NUMBER
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3723

DATE MAILED: 05/14/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/997,556

Applicant(s)

KOPMANIS, MICHAEL A.

Examiner

Dung V Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 April 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-10,12-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12-19 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Iwabuchi (USPN 6,454,636). Iwabuchi discloses a grinding system comprising a grinding tool 8 having a grinding surface adapted to grind a part 7, a spindle 6 connected to the grinding tool 8, a first motor coupled to the spindle 6 and adapted to rotate the spindle 6 and the grinding tool 8, a nozzle 37 adapted to supply a coolant material, an arm 21 coupled to the nozzle 37 and to the grinding tool and adapted to allow placement of the nozzle in multiple positions, each of the positions being substantially tangent to the grinding surface of the grinding tool 8, a second motor 65 connected to the arm 21 and adapted to move the nozzle 37 through each of the positions, a controller 69 coupled to the second motor and adapted to control the movement of the nozzle 37 to supply the coolant material based upon a location of the part 7 relative the grinding tool 8, a bearing collar 31 coupled around the spindle 6 of the grinding tool 8 and to the arm 21, a belt 68 coupled to the arm 21 and to a second motor 65 and adapted to translate rotation of the motor 65 into movement of the arm 21, wherein the nozzle 37 is adapted to supply the coolant material at substantially the

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same velocity as the grinding surface of the grinding tool 8, wherein the arm 21 is coupled to the spindle 6 of the grinding tool 8, wherein the nozzle 37 pivots and the grinding tool rotates about the same axis CL, wherein the arm 21 is adapted to allow placement of the nozzle 7 along an arcuate path, wherein the controller 69 is a computer numeric control (CNC) device, wherein the CNC device is adapted to control a location of the part 7. Iwabuchi also discloses a method of supplying coolant material from a grinding tool having a spindle 6 and a grinding surface comprising providing a nozzle 37 adapted to supply a coolant material, moving the nozzle 37 through multiple positions, each of the positions being substantially tangent to the grinding surface of the grinding tool 8, supplying coolant material at substantially the same velocity as the grinding surface of the grinding tool, wherein moving includes moving the nozzle 37 along an arcuate path (note Fig. 1-6, col. 6, line 11 to col. 16, line 60).

### ***Response to Arguments***

3. In response to applicant's argument that applicant have amended claims 1, 10 and 19 to include the limitations "at substantially the same velocity as the grinding surface of the grinding tool", and Iwabuchi does not disclose any specific velocity at which the coolant is delivered. Claims 1, 10 and 19 contain a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiated the claimed apparatus from Iwabuchi apparatus if Iwabuchi apparatus discloses all the structure limitations of the claims. See MPEP 2114.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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5. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung V Nguyen whose telephone number is 703-305-0036. The examiner can normally be reached on M-F, 6:30-3:00.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J Hail can be reached on 703-308-2687. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

DVN  
May 12, 2003



Dung Van Nguyen  
Patent Examiner